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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,267	07/06/2001	Anil Punjabi	2001P12193us	7592

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Siemens Corporation  
Attn: Elsa Keller, Legal Administrator  
Intellectual Property Department  
186 Wood Avenue South  
Iselin, NJ 08830

EXAMINER

HASHEM, LISA

ART UNIT PAPER NUMBER

2645

DATE MAILED: 03/12/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/900,267

Applicant(s)

PUNJABI, ANIL

Examiner

Lisa Hashem

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/7-6-2001</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Claims 1-16 are pending in this office action.

#### *Information Disclosure Statement*

2. An initialed and dated copy of Applicant's IDS form 1449, Paper No. 2, is attached to the instant office action.

#### *Drawings*

3. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on July 6, 2001 have been accepted.

#### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S.

Patent No. 6,421,339 by Thomas.

Regarding claim 1, Thomas discloses a telecommunications system (see Figure 1), comprising: local area network; one or more telecommunications devices (Figure 1: 18, 20) coupled to said local area network; a switching unit coupled to said local area network (Figure 1, 14), said switching unit adapted to associate a plurality of numbers with a user (transient identities), inherently record a time and associated number at which said user has been reached,

Art Unit: 2645

and perform a closest neighbor comparison of previous calls to determine where to connect a current call (column 2, lines 22-35; column 2, line 62 – column 3, line 6; column 3, lines 31-45).

Regarding claim 2, a telecommunications system in accordance with claim 1 mentioned above, wherein Thomas further discloses said switching unit further adapted to inherently switch calls to said user at particular locations at programmed times (column 2, lines 22-35; column 3, line 60 – column 4, line 30).

Regarding claim 3, a telecommunications system in accordance with claim 2 mentioned above, wherein Thomas further discloses said switching unit comprising an H.323 gatekeeper (Figure 1: 14; column 2, lines 62-66).

Regarding claim 4, Thomas discloses a telecommunications gatekeeper (Figure 1: 14, 44), inherently comprising: a control processor adapted to process incoming and outgoing calls, wherein users have one or more numbers associated with them (column 5, lines 45-58); a record unit or storage register adapted to store in a memory a call history associated with particular users (column 3, lines 42-45); and a compare unit adapted to perform a closest neighbor comparison of said call history to determine at which of said one or more numbers to connect the call (column 4, lines 56-67). The gatekeeper inherently discloses these components utilizing the H.323 standard (see Abstract).

Regarding claim 5, a telecommunications gatekeeper in accordance with claim 4 mentioned above, wherein Thomas further inherently discloses said control unit programmable to switch calls to said users at particular numbers at particular times (column 2, lines 22-30; column 6, lines 6-19).

Art Unit: 2645

Regarding claim 6, a telecommunications gatekeeper in accordance with claim 5 mentioned above, wherein Thomas further discloses said compare unit adapted to perform said closest neighbor comparison if a call is not connected to a programmed number at the programmed time (column 4, lines 1-60).

Regarding claim 7, a telecommunications gatekeeper in accordance with claim 4, mentioned above, wherein Thomas further discloses said call history is updated after every call (column 3, lines 42-45).

Regarding claim 8, a telecommunications gatekeeper in accordance with claim 4, mentioned above, wherein Thomas further discloses said call history is inherently cleared after a predetermined period (column 3, lines 60-64; column 6, lines 42-49).

Regarding claim 9, Thomas discloses a method, comprising: maintaining a call history of calls to one or more numbers of a particular user; receiving a new call; performing a closest neighbor comparison on said call history to determine at which of said numbers to switch said new call; connecting said new call; and updating said call history (column 3, line 32 - column 4, line 60).

Regarding claim 10, a method in accordance with claim 9 mentioned above, wherein Thomas further discloses, further comprising first attempting to inherently switch a call to a user-programmed time associated call location (column 4, lines 16-24).

Regarding claim 11, a method in accordance with claim 10 mentioned above, wherein Thomas further discloses comprising clearing said call history after a predetermined period has elapsed (column 3, lines 60-64; column 6, lines 42-49).

Art Unit: 2645

Regarding claims 12-16, please see the rejection(s) of the telecommunications gatekeeper in claims 4-8 mentioned above, to reject the method in claims 12-16.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 6,144,671 by Perinpanathan et al teach methods to employ call redirection to provide services in a packet-based network; said redirection functionality proposed for the H.323 standard to realize multimedia call redirection features consisting of personal mobility, terminal mobility, and call distribution

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703) 872-9314 (for formal communications intended for entry)

**Or call:**

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

Art Unit: 2645

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LH

lh

March 5, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

